

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
(Alexandria Division)

LEN STOLER, INC. d/b/a LEN STOLER
AUDI,

Plaintiff,

-against-

VOLKSWAGEN GROUP OF AMERICA,
INC. d/b/a AUDI OF AMERICA, INC.,

Defendant.

Case No. 1:15CV1659-TSE/JFA

**PLAINTIFF'S RULE 26(A)(3)
DISCLOSURES**

In accordance with Federal Rule of Civil Procedure 26(a)(3), Plaintiff Len Stoler, Inc., d/b/a Len Stoler Audi ("Stoler"), by and through its counsel of record, makes the following disclosures:

A. Rule 26(a)(3)(i) – The name and, if not previously provided, the address and telephone number of each witness – separately identifying those the party expects to present and those it may call if the need arises.

Witnesses Stoler Expects to Present:

1. Barry Stoler
Len Stoler, Inc.
11309 Reisterstown Road
Owings Mills, Maryland 21117
(410) 356-7000
2. David Leibowitz
Len Stoler, Inc.
11309 Reisterstown Road
Owings Mills, Maryland 21117
(410) 356-7000

3. Mark Del Rosso
Audi of America, Inc.
2200 Ferdinand Porsche Drive
Herndon, Virginia 20171
(248) 754-5000
4. Cody Thacker
Audi of America, Inc.
2200 Ferdinand Porsche Drive
Herndon, Virginia 20171
(248) 754-5000
5. Mark Balmer
Audi of America, Inc.
2200 Ferdinand Porsche Drive
Herndon, Virginia 20171
(248) 754-5000
6. Joseph Roesner
The Fontana Group, Inc.
3509 North Campbell Avenue
Tucson, Arizona 85719
(520) 325-9800
7. Todd Berko
578 Province Line Road
Hopewell, New Jersey 08525
(609) 252-1125

Witnesses Stoler May Call if Necessary:

1. Leonard Stoler
Len Stoler, Inc.
11309 Reisterstown Road
Owings Mills, Maryland 21117
(410) 356-7000
2. Pete Hamilton
Audi of America, Inc.
2200 Ferdinand Porsche Drive
Herndon, Virginia 20171
(248) 754-5000
3. Jeremy Meyer
Audi of America, Inc.
2200 Ferdinand Porsche Drive

Herndon, Virginia 20171
(248) 754-5000

4. Kyle Matthews
Audi of America, Inc.
2200 Ferdinand Porsche Drive
Herndon, Virginia 20171
(248) 754-5000
5. Any additional witnesses included in the witness list of Defendant Volkswagen Group of America, Inc. d/b/a Audi of America, Inc. (“Audi”).

B. Rule 26(a)(3)(ii) – The designation of those witnesses whose testimony the party expects to present by deposition and, if not taken stenographically, a transcript of the pertinent parts of the deposition.

Stoler does not plan on presenting any witness by deposition, but reserves the right to do if any of the witnesses listed above are unavailable at the time of trial, or in response to any witness presented by deposition by Audi.

C. Rule 26(a)(3)(iii) – An identification of each document or other exhibit, including summaries of other evidence – separately identifying those items the party expects to offer and those it may offer if the need arises.

Attached as Exhibit “A” is a list identifying each document or other exhibit Stoler expects to offer and those it may offer if the need arises.

Dated: March 17, 2017

Respectfully Submitted,

ARENT FOX LLP

By: /s/ Barbara S. Wahl

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*Attorneys for Plaintiff Len Stoler, Inc. d/b/a
Len Stoler Audi*

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of March, I will electronically file the foregoing Rule 26(a)(3) disclosures with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the following:

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Tysons Corner
Vienna, Virginia 22182

and

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/s/ Barbara S. Wahl